

# Online provision of insurance services

## Abstract

This rigorosum thesis on providing online insurance services is aimed at providing a comprehensive analysis of legal regulation applicable to the online sales of non-life insurance in the field of EU law, with a focus on consumers. The aim of this thesis is to find a solution how to offer and sell insurance in accordance with all applicable legal regulations together with proper scope of information provided to the customer. The thesis is based on assessment of interconnection of three factors - insurance as a regulated financial service, internet as a cross-border medium and protection of a weaker party of the contractual relationship. The answers are sought mainly in interpretation of several EU legislation - in particular regulations No. 593/2008/EC (Rome I), No. 1215/2012/EU of the European Parliament and of the Council (Brussels I bis) and Directives 2009/138/EC (Solvency II), 2016/97/EU (IDD), 2000/31/EC (ECD) and 2002/65/EC (on the marketing of consumer financial services at a distance). The methodology of this thesis consists in the critical analysis of relevant legal regulations and comparison of their requirements with each other in order to find functional conclusions for practice – it is also supplemented by empirical elements. The first part presents a general introduction to the topic together with explanation of why the subject was chosen and sets out the questions to which I seek to find answers. The first part deals with the theoretical background from which the thesis draws out the information and with the perspectives of possible interpretation and solution. The focal point of the whole material and the solved matter consists of parts three to six. At the beginning of each of these parts is provided a description of the theoretical basis followed by hypothesis and research question and they are summarized using a review representing a partial conclusion together with *de lege ferenda* basis. The succession of the respective parts reflects the sequence of steps needed to be undertaken in order to provide insurance to the final customer.

Second part deals with the authorization to provide insurance services and the freedom to provide services, third part deals with the distribution of insurance consisting in offering services and providing related information to the customer, fourth part deals with the possibilities of choice of law with respect to restrictions set up by the public law and the fifth one deals with form of insurance contract based on division into individual and group contracts. Part six evaluates the current legislation and its possible interpretation. Part seventh presents a general contemplative outlook.

**Keywords**

Non-life insurance, distribution, choice of law.